

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 74725

Paul John Kaspar Sr.

502 Murdock Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on April 20, 2010 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 35-5-302 IBC 115.1, failure to cease unsafe/unsanitary conditions, failure to live with adequate means of egress, adequate light and ventilation, conditions dangerous to human life and safety on residential property known as 502 Murdock Road, 21212.

On April 13, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Robyn Clark issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Paul Kaspar, Respondent and Robyn Clark, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. Correction Notices were issued on March 22, 2010 and March 23, 2010 for unsanitary conditions, remove open dump/junk yard, remove trash and debris, inadequate means of egress from residence, inadequate light and ventilation, unsafe structure. This Citation was issued on April 13, 2010.

B. Inspector Robyn Clark testified that Respondent has a hoarding problem and that his house and yard are unsafe, unsanitary, and must be cleared out and cleaned up. Photographs in the file show piles of junk, trash, and household items all over the yard and piled high on the porch. Photographs in the file show the inside of the house is piled high with junk and trash and garbage, and appears unsafe and unsanitary. Inspector Clark further testified that Respondent Kaspar has been very cooperative and responsive, and that he has agreed to hire cleaning crews to clean up the premises.

C. Respondent Paul Kaspar testified that he agrees the house and yard need to be cleaned up, and requested additional time to complete the work. He has hired someone and is making progress. He has hired another service to begin cleaning the house the day after this Hearing. He stated that Inspector Clark has been very courteous and helpful. He agrees with Inspector Clark's proposed timeline, to have the house cleaned up by the end of May 2010 and to have the yard cleaned up by the end of June 2010.

D. Because compliance is the goal of code enforcement, and Respondent is making every effort to comply with code requirements, no civil penalty will be imposed if the violations are corrected within the time provided below. If the violations are not corrected, the County will be authorized to enter the property to correct the violations.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$100.00 (one hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the house is cleaned up by the end of May, and if the yard is cleaned up by the end of June.

IT IS FURTHER ORDERED that after June 1, 2010, the County may enter the property for the purpose of removing junk, trash, debris, and excess materials from inside the house, and for the purpose of cleaning the house, at Respondent's expense.

IT IS FURTHER ORDERED that after July 1, 2010, the County may enter the property for the purpose of removing all junk, trash, debris, and garbage from the exterior premises, at Respondent's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 26th day of April 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.